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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION VII  
726 MINNESOTA AVENUE  
KANSAS CITY, KANSAS 66101

JUN 23 1989

Mr. Ted Kimble  
Office of the Honorable Bob Whittaker  
Member, U.S. House of Representatives  
6th and School Streets  
P.O. Box 28  
Augusta, Kansas 67010

RECEIVED  
JUN 26 1989  
REMD SECTION

Dear Mr. Kimble:

This is to follow-up on discussion at the June 8, 1989, Cherokee County Task Force meeting concerning potential property value appreciation due to this Agency's activities. As I understood the basic question, it concerned whether or not the Environmental Protection Agency (EPA) had any requirements that apply to property that may be improved as a result of a Superfund cleanup.

When an environmental problem is remediated at a Superfund site, any property that is affected by the cleanup is either restored to its original condition or replaced. EPA plans for remediation at the Cherokee County Galena Subsite include some alternatives that would involve using mine tailings/chat piles to fill mine openings or subsidences. The areas where this work would be accomplished would be selected on the basis of environmental improvement, i.e. ground or surface water quality protection and/or improvement. Any property enhancement that occurs from this activity is coincidental and the Agency retains no interest in it.

We need to bear in mind that EPA's role in the Cherokee County project is protection of public health and the environment. We are committed to coordinating with the Bureau of Mines and other agencies working in the area that have other authorities and obligations. Where it is possible, priorities of the City of Galena, Cherokee County, and those agencies will be considered in our remedial activity.

I hope this clarifies EPA's position and authority in this area. Let me know if there are any questions.

Sincerely yours,



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SUPERFUND RECORDS

*Earlene Wilson*  
for Ronald R. Ritter  
Director, Congressional and  
Intergovernmental Liaison

